

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRYL BERNARD WATTS,

Plaintiff,

No. CIV S-03-1928 JKS GGH P

vs.

D.L. RUNNELS, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On September 28, 2007, judgment was entered. On October 12, 2007, plaintiff filed a notice of appeal, a request for a certificate of appealability and a motion for appointment of counsel. Certificates of appealability are issued in habeas corpus actions and not civil rights actions. Accordingly, the request for a certificate of appealability is disregarded.

Plaintiff's motion for appointment of counsel should be addressed to the Ninth Circuit Court of Appeals. Accordingly, IT IS HEREBY ORDERED that plaintiff's October 12, 2007, motion for appointment of counsel is disregarded.

DATED: 11/26/07

/s/ Gregory G. Hollows

GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE

watt1928.31